

JEFFERSON COUNTY COMMISSIONERS  
COURTHOUSE, BOX H  
BOULDER, MT 59632  
PHONE 406-225-4025  
FAX 406-225-4148

TOM LYTHGOE, CHAIR

CHUCK NOTBOHM

KEN WEBER

**PROCEEDING OF THE BOARD OF COMMISSIONERS  
COUNTY OF JEFFERSON, STATE OF MONTANA  
September 6, 2005**

**Present:** Commissioner Lythgoe; Harold Stepper, County Planner; Jan Anderson, *Boulder Monitor/Jefferson County Courier*

**ITEMS FOR COMMISSIONERS ACTION OR REVIEW**

Commissioner Lythgoe called the meeting to order. He stated that since he is the only Commissioner in attendance, there is no quorum, and therefore no business can be conducted. The agenda for the following week will be amended to include the current agenda items, with the exception of the preliminary budget hearing.

**PRELIMINARY BUDGET HEARING**

Commissioner Lythgoe called the meeting to order. He recognized that there is no quorum. He stated that until the final budget is adopted, the Commission will be in continual session. Another hearing will be scheduled for Thursday at 10:30 a.m. in the courtroom.

The meeting was recessed.

**September 8, 2005**

**Present:** Commissioners Lythgoe, Notbohm and Weber; Cathi Bond, Bonnie Ramey, Jan Anderson, Marilyn Craft, Jay Cole

Commissioner Lythgoe reconvened the budget hearing. He read the budget message (attached) and called for comments.

Cathi Bond, Facilities Manager, stated that she had requested \$40,000 in outlay for the completion of a project, installing a dumbwaiter in the courthouse annex. She has been saving money for the project since 2001. She stated that she also requested \$30,000 to start saving for additional office space. The decision was made to move offices around instead, but the move will still cost money. This money has been taken out of the budget. Also, she only budgeted for

a 10-percent increase in utilities, and has since heard to expect a 28% increase. She requested that the \$40,000 be put back into her budget. Commissioner Lythgoe asked if there was any money in the budget to cover the moving expenses. Cathi stated that there is not. Commissioner Weber asked for clarification, she has saved \$10,000 for the dumb-waiter. Cathi stated that this is correct. When she checked on the price of a dumb-waiter in 2001, the cost was \$20,000, and she is estimating that it will be about \$30,000 now. She stated that this is a real safety issue, with people carrying heavy boxes up and down steep stairs. Commissioner Notbohm asked about the sidewalk project. Commissioner Lythgoe stated that this is a CTEP project, and will be done next spring. Commissioner Notbohm asked what the project will cost. Commissioner Lythgoe stated that the project will cost 40 to 50 thousand, including engineering costs.

Commissioner Lythgoe moved to authorize Cathi to determine what type of mechanism is needed to transport items up and down the stairs in the annex building, and to use PILT money to pay for it. Commissioner Weber seconded. Commissioner Notbohm asked if this addresses everything they had discussed. Commissioner Lythgoe stated that it doesn't address all of it. Commissioner Weber stated that it does address the safety issue. The motion carried.

Commissioner Lythgoe moved that they authorize \$5,000 from PILT to facilitate the move they are requiring at the Paradise house. A discussion followed about the new planner, and his office needs. Bonnie stated that there is money in the planning budget to take care of desks, computers and such. Commissioner Weber seconded. Commissioner Notbohm stated that another concern is that the budget may be in arrears in utilities across the board, and asked if they should deal with this at this time. Commissioner Lythgoe stated that there will probably be problems in all accounts with utilities and fuel, but the Commission would deal with that when it comes up. Bonnie stated that in doing the budgets, there are some departments, such as Justice Court and County Attorney, that they are aware may need emergency funds for unexpected items. It may be a good idea to do something similar with fuel and utilities. Approval for this was granted, and Bonnie will just need to get a memo to okay the use of PILT for fuel and utility overages. Commissioner Lythgoe stated that money was left in the PILT fund this year, to make things more flexible. The motion carried.

Commissioner Lythgoe read a letter from the JLDC (attached), requesting that the ag extension agent be funded as in the past, recommended that the economic development extension agent be returned to full-time, and requested that the metal mines money used for debt reduction be returned. He then called for comments.

Commissioner Notbohm stated that he feels the direction the Commission has gone with the metal mines funds is appropriate. He noted that planning is major when it comes to economic development, and feels this is a highly appropriate use of those funds. He stated that if you look at the numbers, at the rate the money is being used, it will be around for years. Commissioner Weber stated that the letter didn't sound like they have a problem with using those monies for the planner; they want the ag agent to stop being paid out of metal mines monies however. Commissioner Lythgoe noted that the letter is asking for three things; that the economic development agent be returned to full time, that the ag agent be paid out of the general fund, and

that the County pay back the metal mines money it used for debt reduction. Regarding new legislation as to whether the statute allows the county to fund the ag piece, it is possible if they broaden the definition again. The position description does require that the ag agent promote economic development in Jefferson and Madison counties. Commissioner Lythgoe stated that while it may be legally appropriate to fund this position out metal mines funds, he has a problem with the idea that this position has been funded out of the general fund since Cameron was a child, and it was only changed because of a financial crunch. This year or next, they need to go back to the general fund to pay for this position.

Commissioner Notbohm stated that part of Cameron's job is economic development. Farming and ranching is the economy in Jefferson County. They are on thin ice to use the argument that it is not economic development. He stated that if they look at the amount of money in the account, it will be years before it is depleted. And that is if they lose the mines. Commissioner Lythgoe agreed that agriculture is a large financial part of Jefferson County, and he can understand that argument. However, historically the position has been funded from the general fund and he thinks it should go back to the historical use, either this year or next.

Commissioner Weber stated that for him, it is not down to an interpretation of the law, but it should go back to the historical funding. He also feels the County should return the \$120,000, but over a period of two years. Commissioner Lythgoe stated that when the County decided to use that money, it wasn't done on a whim; they checked with state experts on the use of metal mines monies, who gave their approval for the use of the money. While he supports the idea of paying that money back, now is not the time to do so, but when the money is depleted, if ever. He feels committed to maintain economic development in Jefferson County, wherever the money comes from. He is not concerned with paying that money back at this time. Commissioner Notbohm stated that he is opposed to ever paying that money back. The Commission used the money in good faith, after much research. Bonnie stated that if and when the mines go away, there will be a lot of money in the trust account. Commissioner Weber noted that this would be for a short amount of time. Commissioner Lythgoe stated that there will be decades of money. Commissioner Weber asked when Golden Sunlight hit the trigger. Bonnie stated that it was 1998 or 1999, and noted that the County is getting \$85,000 a year, just from interest. The money will last for a long time, if used wisely.

Commissioner Lythgoe moved to follow the JLDC's recommendation to fund the economic development agent at full time. Commissioner Weber seconded. The motion carried, with Commissioners Lythgoe and Weber voting aye and Commissioner Notbohm voting nay.

Commissioner Lythgoe stated that he is not prepared to make a motion on either of the other recommendations. As for the recommendation to pay back the metal mines money, if the Commission needs to pass a resolution stating their commitment to economic development, that can be done, but he doesn't feel the need to pay it back at this time.

Commissioner Weber moved to accept the recommendation to fund the ag agent from account 2290, to be funded by PILT. Commissioner Lythgoe seconded. Discussion followed.

Commissioner Lythgoe asked Bonnie how much money they are talking about. Bonnie stated that it would \$36,801 for Cameron and \$25,646 for Jill. Commissioner Notbohm stated that they are going to ruin a perfectly good budget. Commissioner Lythgoe stated that the money will come out of PILT, so it won't affect the current budget, but it will deplete the safety net somewhat. The motion carried, with Commissioners Lythgoe and Weber voting aye, and Commissioner Notbohm voting nay.

Commissioner Weber moved to table the third recommendation, to pay back the \$120,000, until next year and discuss it at that time, after seeing how this budget year progresses. Commissioner Lythgoe seconded for discussion. Commissioner Notbohm stated that maybe they should bill this back to the Commissioners that made the decision, instead of using county funds. Commissioner Lythgoe stated that it would be appropriate for the JLDC to make the request again next year. The motion failed, with Commissioners Lythgoe and Notbohm voting nay and Commissioner Weber voting aye.

It was stated that the temporary help line item in the Commission budget needs to be increased. Commissioner Lythgoe moved to increase the temp line item in the Commission budget by \$2,200. Commissioner Weber seconded. The motion carried.

Hearing no further comment, Commissioner Lythgoe closed the public hearing, and noted that the Commission would be in continual session until the adoption of the final budget. However, he assured those in attendance that the Commission would not be discussing the budget again until the next regularly scheduled meeting.

## **MEETING ADJOURNED**

### **ATTEST:**

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**BONNIE RAMEY**  
**CLERK AND RECORDER**

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**TOMAS E. LYTHGOE, CHAIR**

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**CHUCK NOTBOHM, COMMISSIONER**

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**KEN WEBER, COMMISSIONER**